



New South Wales

Co-operative Housing and Starr-Bowkett Societies Amendment (Fees) Regulation 2015

under the

Co-operative Housing and Starr-Bowkett Societies Act 1998

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Co-operative Housing and Starr-Bowkett Societies Act 1998*.

VICTOR DOMINELLO, MP
Minister for Innovation and Better Regulation

Explanatory note

The object of this Regulation is to increase certain fees payable in connection with the administration of the *Co-operative Housing and Starr-Bowkett Societies Act 1998*.

The fee increases are generally in line with movements in the Consumer Price Index (rounded to the nearest dollar).

This Regulation is made under the *Co-operative Housing and Starr-Bowkett Societies Act 1998*, including sections 23 (1) and 225 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Co-operative Housing and Starr-Bowkett Societies Amendment (Fees) Regulation 2015*.

2 Commencement

This Regulation commences on 1 July 2015 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Co-operative Housing and Starr-Bowkett Societies Regulation 2005

[1] **Clause 27 Fees**

Omit “additional” from clause 27 (1).

[2] **Schedule 2**

Omit the Schedule. Insert instead:

Schedule 2 Fees

(Clause 27)

Column 1 Item	Column 2 Section of the 1998 Act	Column 3 Type of fee	Column 4 Amount
1	23 (1) (a)	Inspection of prescribed document	\$20
2	23 (1) (b)	Certified copy of prescribed document	\$22 and \$2 for each page after the first page
3	25	Application for extension or abridgement of time within which anything is required to be done under the 1998 Act	\$81
4	50 (1)	Application to Registrar for registration of proposed co-operative housing society or Starr-Bowkett society	\$234
5	67	Registration of alteration of society’s rules	\$18 per rule to a maximum of \$157
6	80 (2)	Application for issue of amended certificate of incorporation or new certificate resulting from change of name of co-operative housing body	\$81
7	80 (4)	Application for approval of use by co-operative housing body of name other than registered name	\$41
8	84 (3)	Application by person or body (other than co-operative housing body) for exemption to use words co-operative housing society or Starr-Bowkett , or other words, abbreviations or symbols with similar meaning	\$389
9	115 (7)	Lodgment of special resolution for registration	\$18
10	117 (3)	Application for consent of Registrar for society to keep all or any registers at office other than registered office	\$41
11	148 (1)	Lodgment of returns:	
		(a) on or before the due date	Nil
		(b) more than 1 day but less than 28 days after the due date	\$115
		(c) 28 days or more after the due date	\$234

Column 1	Column 2	Column 3	Column 4
Item	Section of the 1998 Act	Type of fee	Amount
12	149 (1)	Application for order for relief from certain specified requirements as to accounts or audit	\$312
13	152	Application for certification by Registrar that co-operative housing societies are of same type for purpose of proposed merger or transfer of engagements	\$81
14	153 (1)	Application for registration of merger of, or transfer of engagements by, co-operative housing societies	\$81
15	153 (2)	Application for determination by Registrar that co-operative housing societies' boards may approve of proposed merger or transfer of engagements	\$81
16	153 (3)	Application for approval by Registrar of statement to be sent to members specifying details of proposed merger or transfer of engagements	\$312
17	153 (5)	Application to Registrar seeking exemption from requirement to send statement under section 153 (3) of the 1998 Act	\$81
	173	Application of the following sections of the Corporations Act in accordance with section 173 of the 1998 Act:	
18		Section 411 (2) (a):	
		Application to Registrar for permission for lesser period of notice of hearing of application under section 411 (1) or (1A)	\$81
19		Section 411 (2) (b):	
		Examination by Registrar of terms of proposed compromise or arrangement to which application relates and draft explanatory statement relating to proposed compromise or arrangement	\$776
20		Section 411 (7):	
		Application to Registrar for direction that section 411 (7) (f) does not apply in relation to appointment of person to administer compromise or arrangement	\$312
21		Section 413 (3):	
		Lodgment of office copy of order made under section 413	\$41
		Additional fee for late lodgment of copy of order	\$81
	174	Application of the following sections of the Corporations Act in accordance with section 174 of the 1998 Act:	

Column 1	Column 2	Column 3	Column 4
Item	Section of the 1998 Act	Type of fee	Amount
22		Section 418 (1): Application to Registrar for direction that section 418 (1) (f) does not apply in relation to appointment of person as receiver of property of corporation	\$312
23		Section 421A (2): Lodgment of managing controller's report about corporation's affairs: (a) on or before the due date (b) more than 1 day but less than 28 days after the due date (c) 28 days or more after the due date	Nil \$115 \$234
24		Section 427 (1) (a): Lodgment of notice of order of appointment of receiver Fee for late lodgment	Nil \$41
25		Section 427 (1A): Lodgment of notice of appointment of controller of property of corporation Fee for late lodgment	Nil \$41
26		Section 427 (1B) (a): Lodgment of notice that controller has entered into possession or taken control Fee for late lodgment	Nil \$41
27		Section 427 (2): Lodgment of notice of address of controller's office Fee for late lodgment	Nil \$41
28		Section 427 (3): Lodgment of notice of change in situation of controller's office Fee for late lodgment	Nil \$41
29		Section 427 (4): Lodgment of notice of cessation as controller Fee for late lodgment	Nil \$41
30		Section 429 (2) (c): Lodgment by controller of reporting officers' report about corporation's affairs and notice setting out comments (if any) by controller relating to report	Nil

Column 1	Column 2	Column 3	Column 4
Item	Section of the 1998 Act	Type of fee	Amount
		Fee for late lodgment	\$41
31		Section 432 (1): Lodgment of controller's accounts:	
		(a) on or before the due date	Nil
		(b) more than 1 day but less than 28 days after the due date	\$115
		(c) 28 days or more after the due date	\$234
32	177	Application to Registrar to exercise powers conferred by the provisions of the Corporations Act referred to in:	
		(a) paragraph (a) of the definition of <i>Commonwealth winding-up and deregistration provisions</i> in section 177 (2) of the 1998 Act	\$41
		(b) paragraph (b) of the definition of <i>Commonwealth winding-up and deregistration provisions</i> in section 177 (2) of the 1998 Act	\$81
33	184 (1)	Application for registration of two or more bodies as an association	\$234
34	225 (1A)	Lodgment of any other document under the 1998 Act	Nil
		Fee for late lodgment	\$41